



# City of Venice

401 West Venice Avenue  
Venice, FL 34285  
www.venicegov.com

## Meeting Minutes City Council

Tuesday, August 13, 2013

9:00 AM

Council Chambers

### CALL TO ORDER

### ROLL CALL

**Present:** 5 - Mayor John Holic, Vice Mayor Bob Daniels, Council Member Emilio Carlesimo, Council Member Kit McKeon and Council Member David Sherman

**Absent:** 2 - Council Member Jim Bennett and Council Member Jeanette Gates

**Also present:** City Attorney Bob Anderson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Judy Gamel, and for certain items on the agenda: Utilities Director Len Bramble, City Engineer Kathleen Weeden, and Building Official Vince LaPorta

### INVOCATION

*Led by Ms. Stelzer.*

### PLEDGE OF ALLEGIANCE

*Led by Mr. Sherman.*

### I. RECOGNITION

1. **13-0072** 2013 General Aviation Airport Project of the Year Awarded to the Venice Municipal Airport by the Florida Department of Transportation for the Runway 4-22, Taxiway E and RSA/ROFA Improvements Project.  
**This Recognition was presented to Airport Administrator Chris Rozansky.**

## II. AUDIENCE PARTICIPATION

*(9:09) Don O'Connell, city resident, referenced a Venice Gondolier article concerning demolition of an old apartment building on Armada Road and expressed regrets that other buildings of this type would be demolished in Venice.*

*Discussion followed regarding existing building and zoning codes, providing adequate workforce housing, the historic overlay district, density, discussing this issue at future Comprehensive Plan Workshops, and the owner not being able to replace the building with like kind due to existing building codes.*

## III. CONSENT SECTION:

### A. MAYOR

1. **13-0073** Habitat for Humanity, Request for Lease Extension on 2-acre parcel on Knights Trail Road  
**This Presentation was approved.**
2. **13-0074** Support Venice Area Beautification, Inc.'s Grant Application for Enhancement of Venice Beach  
**This Presentation was approved.**

### B. CITY CLERK

### C. CITY ATTORNEY

### D. CITY MANAGER

1. **13-0075** Financially Participate in Bringing Dr. Robert Marbut to the Area to Develop a Strategic Action Plan to Address Homelessness, \$8,000  
*Discussion ensued regarding Venice's participation in the decision concerning Dr. Marbut, the contract being acted on by Sarasota County and the City of Sarasota, and the cost of participating.*  
**This Presentation with Action was approved.**

### Airport

1. **13-0076** Request to Enter into Lease Negotiations with Tristate Aviation Group of Florida, LLC, for 222 Airport Ave E. and to maintain the Current Lease Until the New Lease is Executed  
**This Lease was approved.**

2. **13-0077** Approve Work Assignment No. 401-2013-19 with American Infrastructure Development, Inc. to Update the Airport Layout Plan, \$19,240  
**This Work Assignment was approved.**
3. **13-0078** Approve Assignment of Lease from VAS Leasing Company, LLC to Tristate Aviation Group of Florida, LLC, and Landlord Estoppel Certificate  
**This Lease was approved.**

### Planning and Zoning

1. **13-0079** Approve Special Event, YMCA 2014 Boston Strong Run, April 19, 2014  
*Mr. Lavallee pointed out this was the first use of the new contract for special events and reviewed the contract format, noting that council members retained the ability to support special events by waiving fees.*  
**This Agreement was approved.**

### Utilities

1. **CON. NO. 04-2013** Approve contract with Precon Corporation, Eastside Water Reclamation Facility 7.5 MG Ground Storage Tank (ITB# 2969-13), \$2,816,556

## **V. UNFINISHED BUSINESS**

### ORDINANCES – FINAL READING AND PUBLIC HEARING

1. **ORD. NO. 2013-21** Amending Chapter 86, Land Development Code, Article IV, Development Review Procedures, Section 86-41, Public Workshop Requirements; Section 86-42, Conditional Use; Article VIII, General Administrative Provisions, Section 86-570, Definitions and Chapter 122, Zoning, Article V, Supplementary Zoning District Regulations, Division 1, Generally, Section 122-394, Exclusions from Height Limits (Text Amendment 13-2AM)  
*Ms. Stelzer read the ordinance by title only.*  
*Mr. Sherman moved that Ordinance No. 2013-21 be placed on Final Reading. Seconded by Mr. Daniels. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.*  
*Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received.*  
*Mayor Holic closed the public hearing.*

**A motion was made by Council Member Sherman, seconded by Vice Mayor Daniels, that this Ordinance be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

**2. ORD. NO.  
2013-13**

Amending the Code of Ordinances, Chapter 74, Utilities, by Modifying Utility Rates and Charges and Defining Maintenance Responsibilities

*Ms. Stelzer read the ordinance by title only.*

*Mr. Carlesimo moved that Ordinance No. 2013-13 be placed on Final Reading. Seconded by Mr. Daniels. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.*

*Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received.*

*Mr. Bramble answered questions relating to the revised ordinance verbiage, adding to stakeholder group membership, the meetings being open to the public, types of bulk users, and bulk user rates.*

*Mayor Holic closed the public hearing.*

**A motion was made by Council Member McKeon, seconded by Council Member Sherman, that this Ordinance be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

**3. ORD. NO.  
2013-23**

Annexing Certain Lands Lying Contiguous to the City Limits, as Petitioned by Donna Michele Nazare, Into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions (Vacant Lot on Guild Drive)

*Ms. Stelzer read the ordinance by title only.*

*Mr. Carlesimo moved that Ordinance No. 2013-23 be placed on Final Reading. Seconded by Mr. Daniels. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.*

*Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received.*

*Mayor Holic closed the public hearing.*

**A motion was made by Council Member McKeon, seconded by Vice Mayor Daniels, that this Ordinance be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

**4. ORD. NO.  
2013-24**

Amending Chapter 2, Administration, Article VI, Code Enforcement, Division 2, Code Enforcement Board, Section 2-331, Notices; to Conform to Florida Chapter 2013-193 Regarding Section 162.12, Florida Statutes as Amended

*Ms. Stelzer read the ordinance by title only.*

*Mr. Carlesimo moved that Ordinance No. 2013-24 be placed on Final Reading.  
Seconded by Mr. Daniels. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.*

*Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received.*

*Mayor Holic closed the public hearing.*

**A motion was made by Council Member Sherman, seconded by Council Member McKeon, that this Ordinance be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

**5. ORD. NO.  
2013-26**

Amending Chapter 62, Streets, Sidewalks and Other Public Areas, Article III, Driveways and Curbs, Section 62, Right-of-Way Use Authorization

*Ms. Stelzer read the ordinance by title only.*

*Mr. Daniels moved that Ordinance No. 2013-26 be placed on Final Reading.  
Seconded by Mr. McKeon. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.*

*Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received.*

*Mayor Holic closed the public hearing.*

**A motion was made by Council Member McKeon, seconded by Council Member Carlesimo, that this Ordinance be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

**VI. NEW BUSINESS**

**A. ORDINANCES**

**1. ORD. NO.  
2013-25**

Amending the City Charter, Part I, Charter and Related Laws, Subpart A, Charter, Article III, Legislative, Section 3.04, Elections, Terms of Office and Term Limits, Section 3.05, Compensation and Expenses, Section 3.06 Prohibitions, 3.07, Vacancies, Forfeiture of Office, Standard of Conduct, Filling of Vacancies, Emergency Succession, Procedure of Forfeiture, Section 3.08, City Clerk, Section 3.09, Procedure, Section 3.10, City Attorney, Article IV, Administrative, Section 4.02, Appointment, Qualifications, Compensation, Removal, Section 4.04, Powers and Duties of the City Manager, Article V, Financial Procedures, Section 5.02, Submission of Proposed Budget and Budget Message, Article VIII, Charter Amendments, Section 8.03, Adoption of Amendment, Articles IX, Initiative and Referendum, Article X, Recall, Section 10.01, Recall, Article XI, General Provisions, Section 11.03

*Ms. Stelzer read the ordinance by title only and reviewed the amendments.*

*Mayor Holic pointed out a scrivener's error in the ordinance title.*

*Discussion followed regarding placing this matter on a ballot.*

*Jeff Boone, Charter Review Committee chair, speaking for the committee concurred that voting on the amendments could be delayed until the next scheduled election.*

*After the motion, discussion ensued regarding city manager responsibilities.*

**A motion was made by Council Member Carlesimo, seconded by Council Member Sherman, that this Ordinance be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

2. **ORD. NO. 2013-27** Amending Chapter 98, Floods; to Adopt a New Chapter 98, Floodplain Management, Sections 98-1 through 98-57; to Adopt Flood Hazard Maps, to Designate a Floodplain Administrator, to Adopt Procedures and Criteria for Development in Flood Hazard Areas, and for Other Purposes; to Adopt Local Administrative and Technical Amendments to the Florida Building Code

*Without objection, this matter was postponed until later in the meeting.*

3. **ORD. NO. 2013-28** Amending Chapter 66, Taxation, Article IV, Public Service Tax, Division 2, Electricity, Metered Gas and Bottled Gas, by Adding Potable and Reclaimed Water

*Ms. Stelzer read the ordinance by title only.*

**A motion was made by Vice Mayor Daniels, seconded by Council Member Sherman, that this Ordinance be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

## **B. PRESENTATIONS**

1. **13-0080** Kathleen Weeden, PE, City Engineer, Christopher Hatton, PE, Project Manager, Kimley-Horn and Associates and Erin Gentle, GISP, Assistant Project Manager Kimley-Horn Associates: Downtown Mobility Study Update including Wayfinding Recommendations (10 minutes)

*Ms. Weeden introduced Mr. Hatton and Ms. Gentle, who provided an overview of the project including the benefits of reverse angle parking; test area locations; and vehicular, recreational, and pedestrian wayfinding. Mr. Hatton and Ms. Gentle also displayed maps of Phase I locations.*

*Discussion followed regarding bike lane striping, providing instructions for reverse angle parking, safety concerns, retiming traffic lights, signage, number of private*

sector parking spaces, handicapped and bicycle parking, Economic Development Advisory Board review, existing roadways accommodating bike lanes, Island bus routes, paving materials, funding options, project timeline, and road closings.

Candice Roberts, Economic Development Advisory Board (EDAB) chair, stated that her comments were not the collective opinion of board members and spoke in support of the project.

Jeff Boone, city resident, urged council members to encourage biking activities in the city.

Mayor Holic stated that approval of the proposed wayfinding concept would be placed on the August 27, 2013 council meeting agenda to allow review by the EDAB.

Recess was taken from 11:12 a.m. until 11:25 a.m.

**A motion was made by Council Member Carlesimo, seconded by Vice Mayor Daniels, to approve the enhanced striping and repaving of Venice Avenue between Harbor Drive and Avenue De Parques (in front of City Hall), reducing Venice Avenue from two lanes to one lane in the eastbound direction and restriping the parallel parking spaces to a reversed angled parking configuration. The motion carried by voice vote unanimously.**

**ORD. NO.  
2013-27**

Amending Chapter 98, Floods; to Adopt a New Chapter 98, Floodplain Management, Sections 98-1 Through 98-57; to Adopt Flood Hazard Maps, to Designate a Floodplain Administrator, to Adopt Procedures and Criteria for Development in Flood Hazard Areas, and for Other Purposes; to Adopt Local Administrative and Technical Amendments to The Florida Building Code

*Mr. LaPorta provided background information and explained the ordinance incorporated Federal Emergency Management Agency flood zone requirements into city ordinances. Mr. LaPorta responded to questions relating to flood zones and surveys.*

**A motion was made by Vice Mayor Daniels, seconded by Council Member Sherman, that this Ordinance be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

**C. RESOLUTIONS**

**1. RES. NO.  
2013-20**

Authorize Execution of the FDOT Joint Participation Agreement to Provide Participation in an Aviation Project for Floodplain and Stormwater Plan Updates

*Ms. Stelzer read the resolution by title only.*

**A motion was made by Council Member McKeon, seconded by Vice Mayor Daniels, that this Resolution be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Vice Mayor Daniels, Council Member Carlesimo, Council Member McKeon and Council Member Sherman

## **D. COUNCIL ACTION**

## **VII. CHARTER OFFICER REPORTS**

### City Attorney

*Mr. Persson provided an update on the Chris Davis lawsuit.*

### City Clerk

*Ms. Stelzer had no report.*

### City Manager

*Mr. Lavallee reviewed the new proactive code enforcement process.*

*Mayor Holic discussed Police and Fire Department expenses, budget guidelines, pension liabilities, departmental budgets tying into strategic plan goals, balancing the budget, tax increases, city vehicle maintenance and replacement guidelines, and scheduling a workshop to discuss public safety expenditures.*

## **VIII. COUNCIL REPORTS**

*Mr. Sherman had no report.*

*Mr. Daniels had no report.*

### **Mayor Holic**

#### **1. 13-0081 Venetian Walk Update**

*Mayor Holic reported on the Venetian Walk low income senior housing project.*

*Ms. Weeden commented on public housing project funding options.*

### Council Reports (continued)

*Mr. McKeon reported on his attendance at the Southwest Florida Regional Planning Council meeting and the Florida League of Cities FAST Fly In to Washington D.C. on September 10, 2013.*

*Mr. Carlesimo had no report.*

*Mr. Sherman moved that Mr. McKeon represent City Council at the Florida League of Cities FAST Fly In to Washington D.C. on September 10 through 12, 2013. Seconded by Mr. Daniels. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.*

## **IX. AUDIENCE PARTICIPATION**

*No one came forward to speak.*



## **X. ADJOURNMENT**

*The meeting adjourned at 12:20 p.m.*

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